



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

BAVARI et al.

Serial No.: 09/465,276

Filed: December 16, 1999

For: Antibodies Against Type A Botulinum Neurotoxin

Examiner: Zeman, R.

Group Art Unit : 1645

Attny Docket: 003/175/SAP

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September 7, 2001

RESPONSE

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Sir:

This is in response to the Restriction Requirement dated June 7, 2001 in the subject application.

Applicants hereby elect, with traverse, the invention of Group II, claims 2, 5, 19 and 21 drawn to monoclonal antibody 6B2-2, the hybridoma cell line producing said antibody, a pharmaceutical composition comprising said composition and a kit comprising said antibody. Applicants request that the specific method groups that call on a product be rejoined should the claims for the product be allowable. Applicants reserve the right to prosecute the nonelected claims in other applications.

The Examiner is requested to reconsider the restriction requirement and to consider the claims of groups I-X

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In re Application of Bavari et al.
Serial no. 09/465,276

together. The claims of groups I-III are drawn to monoclonal antibodies which, even though distinct, recognize the C-fragment of Botulinum neurotoxin serotype A (BoNT A). The claims of groups IV-X are drawn to the amino acid and polynucleotide binding domains of the monoclonal antibodies. It is respectfully submitted that a complete search related to one of the monoclonal antibodies against BoNT A would necessarily cover art related to all the monoclonal antibodies and amino acid and/or nucleotide binding domains of such antibodies. As such, it would not place added demands on the Examiner to examine the claims in groups I-X, or claims 1-13 and 18-21. Reconsideration of the restriction requirement is respectfully requested.

An early and favorable action on the merits is respectfully requested.

Respectfully

submitted,

By *Elizabeth Arwine* Reg. No. 39,441
for Elizabeth Arwine
Reg. No. 45,867

U.S. A. MRMC
Staff Judge Advocate Office
504 Scott Street
Fort Detrick, MD 21702-5012
ATTN: MCMR -JA (Elizabeth Arwine-Patent Atty)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents, Washington, D.C. 20231, on March 21, 2001.

By *Sana A. Pratt*
Sana A. Pratt
Reg. No. 39,441

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRANSMITTAL FORM

In re Application of
BAVARI *et al.*
Serial No.: 09/465,276
Filed: December 16, 1999
For: Antibodies Against Type A Botulinum Neurotoxin

Examiner: Zeman, R.
Group Art Unit: 1645
Attny Docket: 003/175/SAP

Date: September 7, 2001

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Sir:

Transmitted for filing herewith are the following items:

☒ Response to Notice to Restriction Requirement dated June 7, 2001

☐ Petition is hereby made to extend the original due date of _____
to cover the date of this paper accompanied by the extension
fee of: (Large/Small entity):
[] 1 mo. \$110/\$55
[] 2 mos. \$390/\$195
[] 3 mos. \$930/\$465
[] 4 mos. \$1,470/735): \$ -0-

☐ Enter any previous extension fee paid since last Action-----subtract - \$ -0-

Fee required \$ -0-

Please charge the above fee and any missing or inadequate fee re this paper to
Deposit Account No. **21-0380** for which purpose a duplicate copy of this sheet is
attached.

U.S. A. MRMC
Staff Judge Advocate Office
504 Scott Street
Fort Detrick, MD 21702-5012
ATTN: MCMR -JA (Elizabeth Arwine-Patent Atty)

Respectfully submitted,
By *Elizabeth Arwine*
for Elizabeth Arwine
Reg. No. 45,867

I hereby certify that this correspondence is being deposited with the United States Postal Service with
sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks,
Washington, D.C. 20231, on the date of September 7, 2001.

Respectfully submitted,
Sana A. Pratt
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